

## **REMARKS**

Claims 5-15 and 19-21 are withdrawn from consideration. Claims 1 and 4 stand rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent Number 5,982,153 to Nagai (hereinafter “Nagai”). Claims 16, 23, and 26 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Nagai in view of United States Patent Application Number 2002/0026594 to Hayashi (hereinafter “Hayashi”). Claim 22 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Nagai.

For the Examiner’s convenience and reference, Applicant’s remarks are presented in substantially the same order in which the corresponding issues were raised in the Office Action. Please note that the following remarks are not intended to be an exhaustive enumeration of the distinctions between any cited references and the claimed invention. Rather, the distinctions identified and discussed below are presented solely by way of example to illustrate some of the differences between the claimed invention and the cited references.

Applicants thank the Examiner for the telephone interview of November 21, 2006. As discussed, Applicants have amended claims 1, 16, 22, and 23 to clarify the distinction between the arrangement of the switch and the capacitor in Nagai and the arrangement of the switch and the capacitor in the present invention so that the series combination of the switch and capacitor in the present invention is distinguished from the series combination of the battery and switch in Nagai.

Response to rejections of claims under 35 U.S.C. § 102(b).

Claims 1 and 4 stand rejected under 35 U.S.C. § 102(b) as anticipated by Nagai.

Applicant respectfully traverses the rejection.

Claim 1 as amended includes the limitation of “...switch in series combination with said high-capacity capacitor and said series combination of said switch and said high-capacity capacitor being coupled in parallel with said battery and said computer such that said battery, said computer, and said series combination share two common connections...” Claim 1 as amended. Thus the present invention claims a series combination of the switch and the high-capacity capacitor. The series combination is in parallel with the battery and the computer such that the battery, computer and series combination share two common connections so that the capacitor may be switched in and out of communication with the battery and the computer.

In contrast, Nagai teaches a battery 5 and switch SW1 series combination that is in parallel with a capacitor C2 and an inductive load L2. Nagai, fig. 2, ref. 5, SW1, C2, and L2. The capacitor is always in parallel with the battery and the load when the battery is connected to the load.

Because Nagai does not teach a series combination of a switch and a capacitor in parallel with a battery and a computer, Applicants submit that claim 1 cannot be anticipated by Nagai and that claim 1 is allowable. Applicants further submit that claim 4 is allowable as depending from an allowable claim.

Response to rejections of claims under 35 U.S.C. § 103(a).

Claims 16, 23, and 26 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Nagai in view of Hayashi. Claim 22 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Nagai. Applicants respectfully traverse these rejections.

Claims 16, 22, and 23 as amended include the limitation of a "...switch in series combination with said high-capacity capacitor and said series combination of said switch and said high-capacity capacitor being coupled in parallel with said cell and the computer such that said cell, the computer, and said series combination share two common connections..." Claim 16 as amended. See also claims 22 and 23 as amended.

As discussed above for claim 1, Nagai does not teach a series combination of a switch and a capacitor in parallel with a cell and a computer. Hayashi also does not disclose a series combination of a switch and a capacitor in parallel with a cell and a computer. See Hayashi, figs. 2, 7, 12, and 14. Because neither Nagai nor Hayashi teach a series combination of a switch and a capacitor in parallel with a cell and a computer, Applicants submit that claims 16, 22, and 23 are allowable. Applicants further submit that claim 26 is allowable as depending from an allowable claim.

As a result of the presented remarks, Applicant asserts that claims 1, 4, 16, 22, 23, and 26 are in condition for prompt allowance. Should additional information be required regarding the traversal of the rejections of the claims enumerated above, Examiner is respectfully asked to notify Applicant of such need. If any impediments to the prompt allowance of the claims can be

resolved by a telephone conversation, the Examiner is respectfully requested to contact the undersigned.

Respectfully submitted,

/Brian C. Kunzler/

Brian C. Kunzler  
Reg. No. 38,527  
Attorney for Applicant

Date: November 22, 2006  
8 East Broadway, Suite 600  
Salt Lake City, UT 84111  
Telephone (801) 994-4646  
Fax (801) 531-1929